

CONFIRMED COPY
OF ORIGINAL FILED
Los Angeles County Superior Court

FEB 25 2013
John A. Clarke, Executive Officer/Clerk
By C, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

PEOPLE OF THE STATE OF CALIFORNIA,

Case No. LA 073386

Plaintiff,

v.

[PROPOSED] ORDER PROHIBITING
DEFENDANT FROM ENGAGING,
EITHER DIRECTLY OR
INDIRECTLY, IN ANY ACTIVITY
FOR WHICH A REGISTERED NURSE
LICENSE IS REQUIRED
[Penal Code § 23]

ALEJANDRO LOPEZ RAZO (11/22/1951)

Defendant.

Louise R. Bailey, M.ED., RN, Executive Officer,
BOARD OF REGISTERED NURSING,
DEPARTMENT OF CONSUMER AFFAIRS,
STATE OF CALIFORNIA

Applicant.

The court having noted the appearance of the Board of Registered Nursing, Department of
Consumer Affairs, State of California, ~~and having heard and considered oral argument from all~~
based on stipulation by the parties
~~parties~~, finds that good cause exists to issue an order pursuant to Penal Code Section 23, that
imposes appropriate restrictions on the defendant's registered nurse license number 319136,
issued by the Board of Registered Nursing.

//

//

//

//

1 **IT IS HEREBY ORDERED THAT:**

- 2 1. ALEJANDRO LOPEZ RAZO shall be prohibited from engaging, either directly or
3 indirectly, in any activity for which a registered nurse license is required;
4 2. This condition shall remain in effect until there is a final judgment in this criminal case
5 or until further order by this court;
6 3. Notice of any modification of this order shall be mailed within five days to the
7 Board of Registered Nursing, Department of Consumer Affairs, P.O. Box 944210,
8 Sacramento, CA 94244-2100.

9
10 Dated: 2/25/17



Wm J. Block
JUDGE OF THE SUPERIOR COURT
luc

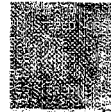
CALIFORNIA

BOARD OF REGISTERED NURSING

Registered Nurse
License: 319136

ALEJANDRO L RAZO

Expiration: 12/31/2013
Status: ACTIVE



1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 ARMANDO ZAMBRANO
Deputy Attorney General
4 State Bar No. 225325
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2542
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-606

12 **ALEJANDRO L. RAZO**
7042 Balcom Avenue
13 Reseda, CA 91335

A C C U S A T I O N

14 **Registered Nurse License No. 319136**

15 Respondent.
16

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about August 31, 1980, the Board of Registered Nursing issued Registered
23 Nurse License Number 319136 to Alejandro L. Razo ("Respondent"). The Registered Nurse
24 License was in full force and effect at all times relevant to the charges brought herein and will
25 expire on December 31, 2013, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board of Registered Nursing ("Board"), under
28 the authority of the following laws. All section references are to the Business and Professions

1 Code ("Code") unless otherwise indicated.

2 4. Section 2750 of the Code provides in pertinent part:

3 "Every certificate holder or licensee, including licensees holding temporary
4 licenses, or licensees holding licenses placed in an inactive status, may be
5 disciplined as provided in this article [Article 3 of the Nursing Practice Act (Bus. &
6 Prof. Code Section 2700 et seq.)]. As used in this article, "license" includes
7 certificate, registration, or any other authorization to engage in practice regulated
8 by this chapter. The proceedings under this article shall be conducted in
9 accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division
10 3 of Title 2 of the Government Code [the Administrative Procedure Act], and the
11 board shall have all the powers granted therein."

8 5. Section 2764 of the Code provides:

9 "The lapsing or suspension of a license by operation of law or by order or decision
10 of the board or a court of law, or the voluntary surrender of a license by a licensee
11 shall not deprive the board of jurisdiction to proceed with any investigation of or
12 action or disciplinary proceeding against such license, or to render a decision
13 suspending or revoking such license."

12 6. Section 118(b) of the Code provides, in pertinent part:

13 "The suspension, expiration, or forfeiture by operation of law of a license issued by
14 a board in the department, or its suspension, forfeiture, or cancellation by order of
15 the board or by order of a court of law, or its surrender without the written consent
16 of the board, shall not, during any period in which it may be renewed, restored,
17 reissued, or reinstated, deprive the board of its authority to institute or continue a
18 disciplinary proceeding against the licensee upon any ground provided by law or to
19 enter an order suspending or revoking the license or otherwise taking disciplinary
20 action against the licensee on any such ground."

18 **STATUTORY PROVISION**

19 7. Section 2761 of the Code provides in pertinent part:

20 "The board may take disciplinary action against a certified or licensed nurse or
21 deny an application for a certificate or license for any of the following:

21 (a) Unprofessional conduct ..."

22 **REGULATORY PROVISIONS**

23 8. California Code of Regulations, Title 16, section 1444, states, in pertinent part:

24 "A conviction or act shall be considered to be substantially related to the
25 qualifications, functions or duties of a registered nurse if to a substantial degree it
26 evidences the present or potential unfitness of a registered nurse to practice in a
27 manner consistent with the public health, safety, or welfare..."

27 //

28 //

1 9. California Code of Regulations, title 16, section 1445(b) provides in pertinent part:

2 "(b) When considering the suspension or revocation of a license on the grounds that
3 a registered nurse has been convicted of a crime, the board, in evaluating the
4 rehabilitation of such person and his/her eligibility for a license will consider the
5 following criteria:

- 6 (1) Nature and severity of the act(s) or offense(s).
7 (2) Total criminal record.
8 (3) The time that has elapsed since commission of the act(s) or offense(s).
9 (4) Whether the licensee has complied with any terms of parole, probation,
10 restitution or any other sanctions lawfully imposed against the licensee.
11 (5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4
12 of the Penal Code.
13 (6) Evidence, if any, of rehabilitation submitted by the licensee."

14 **COST RECOVERY**

15 10. Section 125.3 provides, in pertinent part, that the Board may request the
16 administrative law judge to direct a licensee found to have committed a violation or violations of
17 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
18 enforcement of the case.

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct)**

21 11. Respondent's registered nurse license is subject to discipline under Code section
22 2761(a), in accordance with California Code of Regulations, Title 16, section 1444, in that the
23 Respondent committed an act of unprofessional conduct, and the act evidences the present or
24 potential unfitness of a registered nurse to practice in a manner consistent with the public health,
25 safety, or welfare..."

26 a. On or about January 20, 2013, law enforcement officers from the Los Angeles Police
27 Department responded to the Sherman Oaks Hospital where the Respondent was working as a
28 registered nurse. An investigation revealed that the defendant had committed the crime of sexual
activity with the corpse of a recently deceased patient, in violation of Health and Code section
7052, a felony.

//

//

//

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 319136, issued to Alejandro L. Razo;

2. Ordering Respondent Alejandro L. Razo to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

4. Taking such other and further action as deemed necessary and proper.

DATED: 2/8/2013

Luise R. Bailey
Louise R. Bailey, M.Ed., RN
Executive Officer
Board of Registered Nursing
State of California
Complainant

LA2013508549/51239868.doc/02.08.13